

Monte J. White & Associates, PC
Pamela J. Chaney
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

IN RE:

Terry Wayne Bailey

and

Nanette Nolene Bailey

DEBTOR(s)

§ CASE NO. 11-10069-RLJ-13

§

§ HEARING DATE: 10/3/2012

§ HEARING TIME: 11:00 A.M.

FIRST MODIFICATION OF CHAPTER 13 PLAN AFTER CONFIRMATION

DATE: 09/04/2012

Pursuant to 11 USC 1329, the Debtor(s) (per the undersigned attorney) or the Standing Chapter 13 Trustee, requests the following Modification of Debtor(s) Confirmed Plan herein:

I. HISTORY OF THE CASE

1. Date Case Filed: 2/28/2011
2. Date of Section 341 Meeting: 3/31/2011
3. First Payment Date: 3/30/2011
4. Date of Confirmation: 5/18/2011
5. Total Plan Term Prior to this Modification: 48
6. Number of Months from First Payment Date through month prior to estimated month of Modification Approval: 18
7. Remaining Plan Term (subtract item 6 from the lesser of item 5 or 60 months): 39 (in modified plan)
8. Amount of Arrears through the month prior to the date the Modification is filed: NONE
9. Date plan payments are to resume: 10/30/2012
10. Total Payments Paid to the Trustee through the month prior to the date the Modification is filed with the clerk: \$7,167.00
11. Total payments due to the Trustee through the month prior to the date the Modification is filed with the clerk: \$6,747.00
12. Total Payments Due to the Trustee from the month the Modification is filed to the month the Modification is set for approval: NONE (paid ahead)

13. List Dates of any Prior Orders Modifying, Interlocutory Orders, or Special Supervision Orders:
TRCC 11/23/2011

II. MODIFICATION REQUESTED

(CHECK 1 OR MORE OF THE FOLLOWING 4 CHOICES)

- x INCREASE monthly payment from \$280.00 per month to \$394.00 per month
(must coincide with resume date shown in item 9 above)
- x Extend months from 48 months to 60 months (not to exceed 60 calendar months
from month of First Payment Date)
- Add balloon payment of in month (indicate how the balloon payment will be
made)

All modifications that include a balloon payment will require testimony.

Any arrears indicated in item 8 above shall be cured by the following method: N/A

III. RESUMPTION OF PAYMENTS TO THE TRUSTEE

(All information below must be complete)

Payments can only change as of the month the modification is approved. Payments to the Trustee in the amount of \$394.00 will resume on or before 10/30/2012 for 42 (in modified plan) months (item 7 above) remaining in the Modified Plan as of the date the modification is approved.

Base amount will change from \$15,427.00 to \$23,575.00

If the base amount has changed complete the following:

- | | |
|---|--------------------|
| 1. Total Paid in as of the month prior
to Modification Approval: | \$ 7,027.00 |
| 2. (+)Plus Total Payments to be made
through the Remainder of Plan:
(Making up any arrears in item 9 above) | \$16,548.00 |
| 3. (=) New Base Amount | <u>\$23,575.00</u> |

IV. TREATMENT OF UNSECURED CREDITORS

Unsecured creditors are not guaranteed a dividend when a plan is confirmed. See general order 2006-1. Allowed general unsecured claims may receive a pro-rata share of the unsecured creditors' pool, but not less than the section 1325(a)(4) amount of non-exempt property less allowed administrative and priority claims, after the TRCC becomes final. A proof of claim must be timely filed to be allowed.

V. SECURED, PRIORITY OR SPECIAL CLASS TREATMENT

ADD/DELETE/SURRENDER/CHANGE the following Secured, Priority or Special Class Unsecured Creditor(s):

C/D;A=ADD;D = DELETE; S = SURRENDER; CF = CHANGE FROM; CT = CHANGE TO
CodeName Class Amount Collateral Value Interest Treatment

CT	S-First Mutual Bank	Windows	\$3,406.10	\$81.13 per month
CT	S-CAD of Taylor County	Homestead-property taxes	\$3,050.22	\$85.44 per month
CT	S-Wells Fargo Financial Texas, Inc.	Pre-petition mortgage arrears	\$908.56	\$21.00 per month
A	S-Wells Fargo Financial Texas, Inc.	Post-petition Mortgage Arrears	\$6,081.64	\$144.80 Per month

Note: Changes to any creditors above shall not be effective until the Modification is approved.

VI. ATTORNEY FEES

Debtor's attorney shall be allowed an additional fee for this Modification in the total amount of \$350.00 plus \$50.00 in costs, of which \$400.00 will be paid through the Plan by the Trustee.

VII. REASON FOR MODIFICATION

This modification is requested for the following reason(s): Per Agreed Order entered with the Court on 8/24/2012.

VIII. BUDGET INFORMATION

At the time of filing this modification the debtor shall provide a filed marked copy of the current budget (schedules I & J) and the three most recent pay stubs to the Trustee.

N/A

Respectfully submitted,

/s/Pamela J. Chaney
Attorney for Debtor(s)

CERTIFICATE OF SERVICE

I certify that a true copy of the above and foregoing Modification of Plan After Confirmation has been served by me on 09/04/2012, on all parties on the attached matrix, by ECF and/or United States First Class Mail, proper postage affixed.

/s/Pamela J. Chaney
Attorney for Debtor(s)

Label Matrix for local noticing
0539-1
Case 11-10069-rlj13
Northern District of Texas
Abilene
Tue Sep 4 15:23:13 CDT 2012

American InfoSource LP as agent for
Cedar Hill National Bank
PO Box 248899
Oklahoma City, OK 73124-8899

Capital One Bank
11013 W. Broad ST
Glen Allen, VA 23060-5937

Central Fin
3424 North First
Abilene, TX 79603-6912

Chase Bank USA,N.A
CO Creditors Bankruptcy Service
P O Box 740933
Dallas,Tx 75374-0933

DSRM National Bank-Diamond Shamrock
PO Box 300
Amarillo, TX 79105-0300

Datasearch Inc
Pob 461289
San Antonio, TX 78246-1289

Fingerhut
16 McLeland Rd.
St. Cloud, MN 56303-2198

Footcare Associates of Abilene
CO West Central Texas Collection Bureau
PO Box 2586
Abilene, TX 79604-2586

GE Money Bank
P.O. Box 103104
Roswell, GA 30076-9104

306 Federal Building
1205 Texas Avenue
Lubbock, TX 79401-4037

Asset Acceptance
PO Box 2036
Warren, MI 48090-2036

(p)CAPITAL ONE
PO BOX 30285
SALT LAKE CITY UT 84130-0285

Chase
Po Box 15298
Wilmington, DE 19850-5298

Citibank Usa
Citicard Credit Svcs-Centralized Bankrup
PO Box 20507
Kansas City, MO 64195-0507

DSRM Natl Bk-Diamond Sham
CO Creditors Bankruptcy Service
P O Box 740933
Dallas,Tx 75374-0933

Exxmblciti
Attn.: Centralized Bankruptcy
PO Box 20507
Kansas City, MO 64195-0507

First Mutual Bank
co Ben Chambers
PO Box 1647
Bellevue, WA 98009-1647

GE Capital Retail Bank
CO Recovery Management Systems Corp
25 SE 2nd Ave Suite 1120
Miami, FL 33131-1605

Gemb-care Credit
Attn: Bankruptcy
PO Box 103106
Roswell, GA 30076-9106

Abilene Cardiology Consultants
P.O. Box 5679
Abilene, Texas 79608-5679

BACK BOWL I LLC
C O WEINSTEIN AND RILEY, PS
2001 WESTERN AVENUE, STE 400
SEATTLE, WA 98121-3132

Cato Corporation
Attention: Credit Department
PO Box 34216
Charlotte, NC 28234-4216

Chase Bank USA, N.A.
PO Box 15145
Wilmington, DE 19850-5145

Cmre Financial Services Inc
3075 E Imperial Hwy
Suite 200
Brea, CA 92821-6753

Danny E Wheat D.P.M.
1401 Ambler Ave Ste 102
Abilene, TX 79601-2216

FIRST FINANCIAL PORTFOLIO MANAGEMENT INC
c o Jefferson Capital Systems LLC
PO BOX 7999
SAINT CLOUD MN 56302-7999

First Mutual Savings B
16900 Redmond Way
Redmond, WA 98052-4407

GE Money Bank
CO B-Line, LLC
MS 550
PO Box 91121
Seattle, WA 98111-9221

Gemb-chevron
Attention: Bankruptcy
PO Box 103104
Roswell, GA 30076-9104

Gemb-walmart
Po Box 981400
El Paso, TX 79998-1400

Gemb-walmart Dc
Attention: Bankruptcy
PO Box 103104
Roswell, GA 30076-9104

Guy C. Rosser D.D.S.
602 Hickory
Abilene, TX 79601-5098

HSBC Bank Nevada, N.A.
by PRA Receivables Management, LLC
PO Box 12907
Norfolk VA 23541-0907

Hendrick Medical Center
Collection Department
1900 Pine Street
Abilene, Texas 79601-2432

Hilco Rec
Attn: Bankruptcy
1120 Lake Cook Road Suite B
Buffalo Grove, IL 60089-1970

Hsbc Bank
ATTN: BANKRUPTCY
PO BOX 5213
Carol Stream, IL 60197-5213

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

Imaging Associates of Abilene
4349 S. Treadaway
Abilene, TX 79602-7803

Kohls
Attn: Recovery Dept
PO Box 3120
Milwaukee, WI 53201-3120

Lowes
PO Box 981064
El Paso, TX 79998-1064

Lowes - MBGA
Attention: Bankruptcy Department
PO Box 103104
Roswell, GA 30076-9104

(p)MICHAEL REED OR LEE GORDON
PO BOX 1269
ROUND ROCK TX 78680-1269

Midland Credit Management
PO Box 939019
San Diego, CA 92193-9019

Midland Credit Management, Inc.
8875 Aero Drive, Suite 200
San Diego, CA 92123-2255

Monte J. White & Associates, P.C.
402 Cypress, Suite 310
Abilene, TX 79601-5151

National Capital Management, LLC
8245 Tournament Dr. Ste. 230
Memphis, TN 38125-1741

Nco-inovision-medclr
Attn: Bankruptcy
507 Prudential Rd
Horsham, PA 19044-2308

Noble Fin
25331 1h 10 West
San Antonio, TX 78257

OAK HARBOR CAPITAL II LLC
C O WEINSTEIN AND RILEY, PS
2001 WESTERN AVENUE, STE 400
SEATTLE, WA 98121-3132

Odpt-cbsd
Attn: Centralized Bankruptcy
P.O. Box 20507
Kansas City, MO 64195-0507

PRA Receivables Management LLC
PO Box 41067
Norfolk, VA 23541-1067

Portfolio Investments I LLC
CO Recovery Management Systems Corporat
25 SE 2nd Avenue Suite 1120
Miami FL 33131-1605

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Radiology Associates - RMA
CO West Central Texas Collection Bureau
PO Box 2586
Abilene, WA 79604-2586

Radiology Associates of Abilene
PO Box 2898
Abilene, TX 79604-2898

Rausch, Sturm, Israel, Enerson & Hornik,
401 Cypress St., Suite 300
Abilene, TX 79601-5146

Recovery Management Systems Corporation
25 SE 2nd Ave. Ste. 1120
Miami, FL 33131-1605

Recovery Management Systems Corporation
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

SFC-Central Bankruptcy
P.O. Box 1893
Spartanburg, S.C 29304-1893

Sams Club
Attention: Bankruptcy Department
PO Box 105968
Atlanta, GA 30348-5968

Sears-cbsd
Po Box 6189
Sioux Falls, SD 57117-6189

Shell Oil - Citibank
Attn.: Centralized Bankruptcy
PO Box 20507
Kansas City, MO 64195-0507

Sunrise Credit Service
234 Airport Plaza Blvd S
Farmingdale, NY 11735-3938

Target National Bank
PO Box 59317
Minneapolis, MN 55459-0317

Taylor CAD
co Michael Reed
P.O. Box 1269
Round Rock, TX 78680-1269

Taylor Co. Central Appraisal District
1534 South Treadaway Blvd
Abilene, TX 79602-4927

Taylor Emergency Medicine Assoc
PO Box 1438
San Antonio, TX 78295-1438

Texas Midwest ER Physicians
PO Box 676240
Dallas, TX 75267-6240

Tnb-visa
PO Box 560284
Dallas, TX 75356-0284

Wells Fargo Financial National Bank
4137 121st Street
Urbandale IA 50323-2310

Wells Fargo Financial Texas, Inc.
4137 121st St
Urbandale, IA 50323-2310

Wells Fargo Financial Texas, Inc.
CO Christopher Naylor
4801 Woodway, Ste. 420W
Houston, Texas 77056-1822

West Central Tx Coll B
Po Box 2586
Abilene, TX 79604-2586

West Texas Rehab
4601 Hartford
Abilene, Texas 79605-4699

Wf Fin Bank
Wells Fargo Financial
4137 121st St
Urbandale, IA 50323-2310

Wffinancial
800 Walnut St
Des Moines, IA 50309-3504

Wffnb Retail
Mac 4031-080
Des Moines, IA 50309

Williams, Trotter & Associates
Clinical Pathology Associates
PO Box 3138
Abilene, TX 79604-3138

Yng & Yng
Pob 891738
Oklahoma City, OK 73189-1738

Nanette Nolene Bailey
3609 Trinity Lane
Abilene, TX 79602-7449

Pamela Jean Chaney
Monte J. White & Associates, P.C.
American State Building
402 Cypress, Ste. 310
Abilene, TX 79601-5151

Terry Wayne Bailey
3609 Trinity Lane
Abilene, TX 79602-7449

UST U.S. Trustee
1100 Commerce Street
Room 976
Dallas, TX 75242-1011

Walter 12,13 OCheskey
6308 Iola Avenue
Lubbock, TX 79424-2735

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Capital One, N.a. Bankruptcy Dept PO Box 5155 Norcross, GA 30091	IRS Special Procedures Mail Code 5020-DAL 1100 Commerce St, Room 9B8 Dallas, TX 75242	(d)Internal Revenue Service PO Box 21126 Philadelphia, PA 19114
Michael Reed McCreary Veselka, Bragg & Allen P.C. PO Box 1269 Round Rock, TX 78680	Portfolio Rc Attn: Bankruptcy PO Box 41067 Norfolk, VA 23541	(d)Portfolio Recovery Associates, LLC CO Capital One Bank, N.a. PO Box 41067 Norfolk VA 23541
(d)Portfolio Recovery Associates, LLC CO Care Credit POB 41067 Norfolk VA 23541	(d)Portfolio Recovery Associates, LLC CO Exxonmobil POB 41067 Norfolk VA 23541	(d)Portfolio Recovery Associates, LLC CO Office Depot POB 41067 Norfolk VA 23541
(d)Portfolio Recovery Associates, LLC CO Sams Club POB 41067 Norfolk VA 23541		

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)National Capital Management, LLC. 8245 Tournament Drive Suite 230 Memphis, TN 38125-1741	(d)Taylor CAD co Michael Reed P.O. Box 1269 Round Rock, TX 78680-1269	(u)Wells Fargo Financial Texas, Inc.
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End of Label Matrix	
Mailable recipients	84
Bypassed recipients	3
Total	87